



GENERAL POLICE ORDER

CLEVELAND DIVISION OF POLICE



EFFECTIVE DATE: March 01, 2002	REVISED DATE: August 2, 2013	NO. PAGES: 1 of 3	NUMBER: 6.2.08
SUBJECT: ENDANGERING CHILDREN			
ASSOCIATED MANUAL:		RELATED ORDERS:	
CHIEF OF POLICE: <i>Michael McGrath, Chief</i>			

Substantive changes are in italic

PURPOSE: *To establish guidelines for handling reports of child endangerment and to provide for procedures in the investigation and successful prosecution of such cases.*

POLICY: The Cleveland Division of Police, in cooperation with the Cuyahoga County Department of Children and Family Services (DCFS), shall actively investigate allegations of child abuse and, if circumstances warrant, pursue criminal prosecution.

PROCEDURES:

- I. *Officers responding to an assignment of alleged child abuse or neglect shall determine if a violation of Ohio Revised Code (ORC) 2919.22 Endangering Children or Cleveland Codified Ordinance (CCO) 609.04 Endangering Children has occurred. If so, officers' actions shall include, but not be limited to:*
 - A. Creating a Record Management System (RMS) report. RMS reports shall be completed with information from a DCFS social worker. The victim need not be present.
 - B. Officers shall indicate in the Notifications section, under victim information, that DCFS was notified. The name of the DCFS person notified at 696-KIDS and the "DCFS caller-ID number" shall be included in the Notifications section of the RMS report.
 - C. A child may be taken from the custody of the caretaker **only** with the authorization of a DCFS social worker. Immediate removal required to protect the child from further abuse or neglect, does **not** require authorization of a DCFS social worker.

- II. If the child has sustained physical injuries that require medical treatment or the

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caretaker has failed to provide medical treatment for the child, the investigating officer shall create an RMS report, notify DCFS, and fax the report immediately to Sex Crimes/Child Abuse Unit for a follow-up investigation.

- III.** All Endangering Children reports shall be faxed to the Sex Crimes/Child Abuse Unit for a follow-up investigation.
- A. *When the elements within the RMS report indicate the case is a felony, the case shall be assigned to a detective for follow-up.*
 - B. *If the elements for a felony charge are not present, the Officer-in-Charge (OIC) of the Sex Crimes/Child Abuse Unit shall make a Computerized Criminal History (CCH) check of the arrested person or named suspect.*
 - C. *If the arrested person or named suspect has a prior conviction of a crime against a family or household member or a prior conviction of Endangering Children, the report will be assigned to a detective for a follow-up investigation.*
 - D. *If the person arrested for Endangering Children does not have a prior conviction history as described immediately above then the case is a misdemeanor and the provisions in General Police Order 4.1.12 will be followed. The OIC of the Sex Crimes/Child Abuse Unit shall have the booking card removed from the Bureau of Special Investigations General Office and the felony blotter, and deliver the booking card to the supervisor in the Record Section.*
 - E. *The supervisor in the Record Section shall consult with the Municipal Prosecutor's Office for criminal charges.*
 - F. *If an officer arrests a person for Operating a Vehicle Under the Influence (OVI) and a child or children are passengers in the vehicle, the issuing officer shall consult with the prosecutor to obtain papers for the Endangering Children charge under ORC 2919.22(C1). Citations serve as the charging instrument for the OVI charge. Officers shall notify DCFS via 696-KIDS. Officers shall create an RMS report.*
- IV.** When investigating incidents of unsanitary conditions in the home, officers shall document the conditions, with photos and a written description, in the narrative portion of the RMS report. The Crime Scene & Records Unit shall take photos if possible.

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- A. In Domestic Violence incidents, Endangering Children shall be in the title of the RMS report if:
 - 1. The primary victim of the violence is a child (under 18 years of age), **and**
 - 2. One or more of the elements of ORC 2919.22 are present.

- V. Officers shall assist social workers in the safe removal of children when:
 - A. A DCFS social worker, acting in an official capacity, chooses to take immediate custody of a child, as authorized by Section 2151.31 or Rule 6 of Ohio Rules of Juvenile Procedures, **and**
 - B. The social worker meets resistance from a parent or caretaker.
 - 1. The person or persons obstructing the DCFS social worker shall be arrested or made a named suspect under ORC 2921.31, Obstructing Official Business, a misdemeanor of the second degree.
 - 2. The arresting/reporting officer shall consult the prosecutor and complete a “clean-up” report.

- VI. Upon request, sector supervisors shall respond to the scene of child abuse or neglect complaints and ensure that appropriate action is taken.

- VII. Sector supervisors shall review Duty Reports and RMS reports to ensure appropriate action is taken in the disposition of the child abuse or neglect complaint.

- VIII. The Sex Crimes/Child Abuse Unit may be reached directly from 0800 to 2200 hours and from 2200 to 0800 hours through the Communications Control Section.